

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 003248.00093)

In re U.S. Patent Application of  
Vaidyanathan, et. al.

Application No. 10/767,483

Filed: January 28, 2004

For: MICROCHANNEL HEAT EXCHANGERS  
AND METHODS OF MANUFACTURING  
THE SAME

)  
)  
) Examiner: Unassigned

)  
) Group Art Unit: 3753  
)  
)

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application mailed June 16, 2004, enclosed is the executed Declaration and Power of Attorney for the above-referenced patent application. A copy of the Notice is also enclosed.

Should any additional fees be due, the Commissioner is authorized to charge such fee to Deposit Account No. 19-0733.

Date: October 15, 2004

Respectfully submitted,

By: 

Rebecca P. Rokos  
Registration No. 42,109  
BANNER & WITCOFF, LTD.  
10 South Wacker Drive, #3000  
Chicago, IL 60606  
Direct Line: 312-463-5000  
Facsimile: 312-463-5001



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,483	01/28/2004	K. Ranji Vaidyanathan	006387.00093

22908  
BANNER & WITCOFF, LTD.  
TEN SOUTH WACKER DRIVE  
SUITE 3000  
CHICAGO, IL 60606

CONFIRMATION NO. 5060

## FORMALITIES LETTER



\*OC000000012964481\*

Date Mailed: 06/16/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450

10/18/2004 LWONDIM1 00000072 190733 10767483 Alexandria VA 22313-1450

01 FC:2051 65.00 DA

RECEIVED  
JUN 21 2004  
BANNER & WITCOFF  
DOCKETING DEPT.

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



BANNER & WITCOFF, LTD.  
INTELLECTUAL PROPERTY LAW

TEN SOUTH WACKER DRIVE, SUITE 3000  
CHICAGO, IL 60606-7407

TEL: 312.463.5000  
FAX: 312.463.5001  
www.bannerwitcoff.com

**FACSIMILE TRANSMITTAL SHEET**

<b>TO:</b>	MISSING PARTS	<b>FROM:</b>	Rebecca Rokos
<b>COMPANY:</b>	U.S. Patent Office	<b>DATE:</b>	October 15, 2004
<b>FAX NUMBER:</b>	703-746-4060	<b>TOTAL NO. OF PAGES:</b>	21, including cover page
<b>RE:</b>		<b>OUR REFERENCE NO.</b>	003248.00093

*If you do not receive all page(s) or have any problems receiving this transmission, please call Bobbi Odom at 312-463-5545.*



RECEIVED  
OCT 18 2004  
OIP E / JCWS

**IMPORTANT/CONFIDENTIAL:** This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of BANNER & WITCOFF, LTD. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

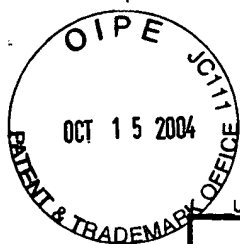
CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

**BEST AVAILABLE COPY**



PTO/SB/97 (08-00)

Approved for use through 11/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to facsimile number 703-746-4060 at the U.S. Patent and Trademark Office.

*Barbara J. Odom*  
Signature

Barbara J. Odom  
Typed or printed name of person signing  
Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Vaidyanathan, et. al., U.S. Patent Application No. 10/767,483 for "Microchannel Heat Exchangers and Methods of Manufacturing the Same"

Filed: January 28, 2004

Art Unit: 3753

- Certificate of Fax Transmittal
- Transmittal Form
- Fee Transmittal (in duplicate)
- 2-Month Extension of Time Petition (in duplicate)
- Response to Notice to File Missing Parts (1 page)
- Declaration and Power of Attorney (5 pages)
- Copy of Notice to File Missing Parts (2 pages)
- Request to Correct Attorney Docket Number (1 page)
- Supplemental Application Data Sheet (5 pages)

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10787,483
		Filing Date	January 28, 2004
		First Named Inventor	Vaidyanathan
		Art Unit	3753
		Examiner Name	Unassigned
Total Number of Pages in This Submission	21	Attorney Docket Number	003248.00093

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Declaration and Power of Attorney Request to Correct Attorney Docket Number Supplemental ADS Certificate of Fax Transmission
Remarks The Commissioner is authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Rebecca P. Rokos, Registration No. 42,109 Banner & Witcoff, Ltd.	
Signature		
Date	October 15, 2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (10-04v2)  
Approved for use through 07/31/2006. OMB 0851-0032  
U.S. Patent and Trademark Office: J.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL for FY 2005</b>	
<i>Effective 10/01/2004. Patent fees are subject to annual revision.</i>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 280
<b>Complete if Known</b>	
Application Number	10/767,483
Filing Date	January 28, 2004
First Named Inventor	Vaidyanathan
Examiner Name	Unassigned
Art Unit	3753
Attorney Docket No.	003248.00093

<b>METHOD OF PAYMENT (check all that apply)</b>	<b>FEE CALCULATION continued)</b>																																																																																										
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None	<b>3. ADDITIONAL FEES</b>																																																																																										
<input checked="" type="checkbox"/> Deposit Account:	<table><tr><th>Large Entity</th><th>Small Entity</th><th></th></tr><tr><td>Fee Code</td><td>Fee Code</td><td>Fee Description</td></tr><tr><td>1051</td><td>2051</td><td>Surcharge - late filing fee or oath</td></tr><tr><td>1052</td><td>2052</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr><tr><td>1053</td><td>1053</td><td>Non-English specification</td></tr><tr><td>1812</td><td>1812</td><td>For filing a request for ex parte reexamination</td></tr><tr><td>1804</td><td>1804</td><td>Requesting publication of SIR prior to Examiner action</td></tr><tr><td>1805</td><td>1805</td><td>Requesting publication of SIR after Examiner action</td></tr><tr><td>1251</td><td>2251</td><td>Extension for reply within first month</td></tr><tr><td>1252</td><td>2252</td><td>Extension for reply within second month</td></tr><tr><td>1253</td><td>2253</td><td>Extension for reply within third month</td></tr><tr><td>1254</td><td>2254</td><td>Extension for reply within fourth month</td></tr><tr><td>1255</td><td>2255</td><td>Extension for reply within fifth month</td></tr><tr><td>1401</td><td>2401</td><td>Notice of Appeal</td></tr><tr><td>1402</td><td>2402</td><td>Filing a brief in support of an appeal</td></tr><tr><td>1403</td><td>2403</td><td>Request for oral hearing</td></tr><tr><td>1451</td><td>1451</td><td>Petition to institute a public use proceeding</td></tr><tr><td>1452</td><td>2452</td><td>Petition to revive - unavoidable</td></tr><tr><td>1453</td><td>2453</td><td>Petition to revive - unintentional</td></tr><tr><td>1501</td><td>2501</td><td>Utility issue fee (or reissue)</td></tr><tr><td>1502</td><td>2502</td><td>Design issue fee</td></tr><tr><td>1503</td><td>2503</td><td>Plant issue fee</td></tr><tr><td>1450</td><td>1450</td><td>Petitions to the Commissioner</td></tr><tr><td>1807</td><td>1807</td><td>Processing fee under 37 CFR 1.17 (q)</td></tr><tr><td>1806</td><td>1806</td><td>Submission of Information Disclosure Sheet</td></tr><tr><td>8021</td><td>8021</td><td>Recording each patent assignment per property (times number of properties)</td></tr><tr><td>1809</td><td>2809</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr><tr><td>1810</td><td>2810</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr><tr><td>1801</td><td>2801</td><td>Request for Continued Examination (RCE)</td></tr><tr><td>1802</td><td>1802</td><td>Request for expedited examination of a design application</td></tr></table>	Large Entity	Small Entity		Fee Code	Fee Code	Fee Description	1051	2051	Surcharge - late filing fee or oath	1052	2052	Surcharge - late provisional filing fee or cover sheet	1053	1053	Non-English specification	1812	1812	For filing a request for ex parte reexamination	1804	1804	Requesting publication of SIR prior to Examiner action	1805	1805	Requesting publication of SIR after Examiner action	1251	2251	Extension for reply within first month	1252	2252	Extension for reply within second month	1253	2253	Extension for reply within third month	1254	2254	Extension for reply within fourth month	1255	2255	Extension for reply within fifth month	1401	2401	Notice of Appeal	1402	2402	Filing a brief in support of an appeal	1403	2403	Request for oral hearing	1451	1451	Petition to institute a public use proceeding	1452	2452	Petition to revive - unavoidable	1453	2453	Petition to revive - unintentional	1501	2501	Utility issue fee (or reissue)	1502	2502	Design issue fee	1503	2503	Plant issue fee	1450	1450	Petitions to the Commissioner	1807	1807	Processing fee under 37 CFR 1.17 (q)	1806	1806	Submission of Information Disclosure Sheet	8021	8021	Recording each patent assignment per property (times number of properties)	1809	2809	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	2810	For each additional invention to be examined (37 CFR § 1.129(b))	1801	2801	Request for Continued Examination (RCE)	1802	1802	Request for expedited examination of a design application
Large Entity	Small Entity																																																																																										
Fee Code	Fee Code	Fee Description																																																																																									
1051	2051	Surcharge - late filing fee or oath																																																																																									
1052	2052	Surcharge - late provisional filing fee or cover sheet																																																																																									
1053	1053	Non-English specification																																																																																									
1812	1812	For filing a request for ex parte reexamination																																																																																									
1804	1804	Requesting publication of SIR prior to Examiner action																																																																																									
1805	1805	Requesting publication of SIR after Examiner action																																																																																									
1251	2251	Extension for reply within first month																																																																																									
1252	2252	Extension for reply within second month																																																																																									
1253	2253	Extension for reply within third month																																																																																									
1254	2254	Extension for reply within fourth month																																																																																									
1255	2255	Extension for reply within fifth month																																																																																									
1401	2401	Notice of Appeal																																																																																									
1402	2402	Filing a brief in support of an appeal																																																																																									
1403	2403	Request for oral hearing																																																																																									
1451	1451	Petition to institute a public use proceeding																																																																																									
1452	2452	Petition to revive - unavoidable																																																																																									
1453	2453	Petition to revive - unintentional																																																																																									
1501	2501	Utility issue fee (or reissue)																																																																																									
1502	2502	Design issue fee																																																																																									
1503	2503	Plant issue fee																																																																																									
1450	1450	Petitions to the Commissioner																																																																																									
1807	1807	Processing fee under 37 CFR 1.17 (q)																																																																																									
1806	1806	Submission of Information Disclosure Sheet																																																																																									
8021	8021	Recording each patent assignment per property (times number of properties)																																																																																									
1809	2809	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																									
1810	2810	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																									
1801	2801	Request for Continued Examination (RCE)																																																																																									
1802	1802	Request for expedited examination of a design application																																																																																									
<b>1. BASIC FILING FEE</b>																																																																																											
<table><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><td>Fee Code</td><td>Fee Code</td><td></td><td></td></tr><tr><td>1001</td><td>2001</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>2002</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>2003</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>2004</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>2005</td><td>Provisional filing fee</td><td></td></tr></table>	Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code			1001	2001	Utility filing fee		1002	2002	Design filing fee		1003	2003	Plant filing fee		1004	2004	Reissue filing fee		1005	2005	Provisional filing fee																																																																
Large Entity	Small Entity	Fee Description	Fee Paid																																																																																								
Fee Code	Fee Code																																																																																										
1001	2001	Utility filing fee																																																																																									
1002	2002	Design filing fee																																																																																									
1003	2003	Plant filing fee																																																																																									
1004	2004	Reissue filing fee																																																																																									
1005	2005	Provisional filing fee																																																																																									
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>																																																																																											
<table><tr><td>Total Claims</td><td>-20 **</td><td>Extra Claims</td><td>0</td><td>Fee from below</td><td>0</td><td>Fee Paid</td><td>0</td></tr><tr><td>Independent Claims</td><td>-3 **</td><td></td><td>0</td><td></td><td>0</td><td></td><td>0</td></tr><tr><td>Multiple Dependent</td><td></td><td></td><td></td><td></td><td>0</td><td></td><td>0</td></tr></table>	Total Claims	-20 **	Extra Claims	0	Fee from below	0	Fee Paid	0	Independent Claims	-3 **		0		0		0	Multiple Dependent					0		0																																																																			
Total Claims	-20 **	Extra Claims	0	Fee from below	0	Fee Paid	0																																																																																				
Independent Claims	-3 **		0		0		0																																																																																				
Multiple Dependent					0		0																																																																																				
<table><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><td>Fee Code</td><td>Fee Code</td><td></td><td></td></tr><tr><td>1202</td><td>2202</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>2201</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>2203</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>2204</td><td>Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>2205</td><td>Reissue claims in excess of 20 and over original patent</td><td></td></tr></table>	Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code			1202	2202	Claims in excess of 20		1201	2201	Independent claims in excess of 3		1203	2203	Multiple dependent claim, if not paid		1204	2204	Reissue independent claims over original patent		1205	2205	Reissue claims in excess of 20 and over original patent																																																																
Large Entity	Small Entity	Fee Description	Fee Paid																																																																																								
Fee Code	Fee Code																																																																																										
1202	2202	Claims in excess of 20																																																																																									
1201	2201	Independent claims in excess of 3																																																																																									
1203	2203	Multiple dependent claim, if not paid																																																																																									
1204	2204	Reissue independent claims over original patent																																																																																									
1205	2205	Reissue claims in excess of 20 and over original patent																																																																																									
<b>Other fee (specify) _____</b>																																																																																											
<b>Reduced by Basic Filing Fee Paid</b>																																																																																											
<b>SUBTOTAL (3) (\$)</b> 280																																																																																											

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Rebecca P. Rokos	Registration No. (Attorney/Agent)	42,109
Signature	<i>Rebecca P. Rokos</i>	Telephone	312-463-5000
		Date	October 15, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.